

10 Rec'd PCT/PTO 18 NOV 2005

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER WSP241US
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) n/a <b>10/557620</b>
INTERNATIONAL APPLICATION NO. <b>PCT/DE2004/000528</b>	INTERNATIONAL FILING DATE <b>March 16, 2004</b>	PRIORITY DATE CLAIMED <b>March 19, 2003 (DE10312325.3)</b>
TITLE OF INVENTION <b>MEANS AND METHOD FOR SEALING CONSTRUCTIONS</b>		
APPLICANT(S) FOR DO/EO/US <b>Knut Asendorf and Falk Kittler</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ul style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))<ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li></ul></li><li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is attached hereto.</li><li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li></ul></li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))<ul style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ul></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li><li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li><li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li><li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li></ul> <p><b>Items 13 to 23 below concern document(s) or information included:</b></p> <ul style="list-style-type: none"><li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li><li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li><li>17. <input type="checkbox"/> A substitute specification.</li><li>18. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li><li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li><li>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li><li>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li><li>22. <input checked="" type="checkbox"/> Express Mail Label No. <b>EV731382357US</b></li></ul>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/557620</div> <div style="text-align: center;">n/a</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/DE2004/000528</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">WSP241US</div>												
23. Other items or information: 1) Check for \$1,395.00 [Basic National Fee(\$150), Exam. Fee(\$100), Search Fee(\$200), \$ 65 Surcharge for late search fee and exam. fee and late Declaration and Petition Fee (\$750)], all Small Entity Fees; and \$130 Processing Fee for furnishing late English translation 1) Acknowledgement postcard    1) Application Data Sheet														
The following fees have been submitted: 24. <input checked="" type="checkbox"/> Basic national fee ..... \$300		<b>CALCULATIONS    PTO USE ONLY</b> \$        \$300.00												
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 All other situations. .... \$200		\$        \$200.00												
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. .... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB. .... \$400 All other situations. .... \$500		\$        \$400.00												
<b>TOTAL OF 24, 25 and 26 =</b>		\$        \$900.00												
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.														
Total Sheets        Extra Sheets        Number of each additional 50 or fraction thereof (round up to a whole number)        RATE														
12        - 100 =        0        /50 =        0        x        \$250.00														
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$        \$130.00												
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>13        - 20 =</td> <td>0</td> <td>x        \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>1        - 3 =</td> <td>0</td> <td>x        \$200.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	13        - 20 =	0	x        \$50.00	Independent claims	1        - 3 =	0	x        \$200.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE											
Total claims	13        - 20 =	0	x        \$50.00											
Independent claims	1        - 3 =	0	x        \$200.00											
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> +        \$360.00		\$        \$0.00												
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$        \$1,030.00												
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		\$        \$515.00												
<b>SUBTOTAL =</b>		\$        \$515.00												
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$        \$130.00												
<b>TOTAL NATIONAL FEE =</b>		\$        \$645.00												
Fee for Petition for Revival of Unintentionally Abandoned Application (Small Entity) \$750.00		\$        \$750.00												
<b>TOTAL FEES ENCLOSED =</b>		\$        \$1,395.00												
		Amount to be refunded:        \$												
		Amount to be charged:        \$												

- 18 NOV 2005
- a. ☒ A check in the amount of \$ \$1,395.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0822. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Michael L. Dunn  
Simpson & Simpson, PLLC  
5555 Main Street  
Williamsville, New York 14221  
(716) 626-1564 Phone  
(716) 626-0366 Fax

  
SIGNATURE

Michael L. Dunn

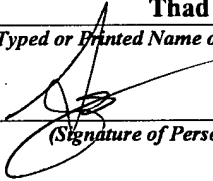
NAME

25330

REGISTRATION NUMBER

November 18, 2005

DATE

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. <b>WSP241US</b>	
Applicant(s):				
Application No. <b>18/557620</b> <small>n/a</small>	Filing Date <b>n/a</b>	Examiner <b>n/a</b>	Customer No. <b>24041</b>	Group Art Unit <b>n/a</b>
Invention: <b>MEANS AND METHOD FOR SEALING CONSTRUCTIONS</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p><b>New U.S. Nationalization Patent Application with Petition to Revive and related documents</b></p> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>November 18, 2005</u></p> <p style="text-align: center;"><i>(Date)</i></p> <div style="text-align: center; margin-top: 20px;"> <p><b>Thad G. McMurray</b></p> <p><i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <hr style="width: 100%;"/>  <p><i>(Signature of Person Mailing Correspondence)</i></p> <hr style="width: 100%;"/> <p><b>EV731382357US</b></p> <p><i>("Express Mail" Mailing Label Number)</i></p> </div>				
<p style="text-align: center;"><b>Note: Each paper must have its own certificate of mailing.</b></p> <div style="text-align: right; margin-top: 100px;"> <p style="font-size: 2em; transform: rotate(-15deg);"><b>RECEIVED</b></p> <p style="transform: rotate(-15deg);">21 NOV 2005</p> <p style="transform: rotate(-15deg);">Legal Staff International Division</p> </div>				